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*Attorneys for Plaintiffs Utah Vapor Business
Association, Inc. and The Smoke House, LLC*

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

UTAH VAPOR BUSINESS ASSOCIATION,
INC., a Utah nonprofit corporation, *et al.*,

Plaintiffs,

vs.

STATE OF UTAH, *et al.*,

Defendants.

AFFIDAVIT OF

Case No. 2:24-cv-00950-DBB-JCB

Judge David Barlow
Magistrate Judge Jared C. Bennett

STATE OF UTAH)
)ss.
COUNTY OF _____)

Riley T. Farr, being duly sworn, deposes and says:

1. Your Affiant is over the age of eighteen and has personal knowledge of the facts stated herein.
2. Your Affiant is an owner of Vapor Crazyiness.
3. Vapor Crazyiness is a member of Utah Vapor Business Association.
4. Vapor Crazyiness employs 8 employees.
5. Vapor Crazyiness is a licensed and permitted retail tobacco specialty business (“RTSB”) in Salt Lake County, Utah, and has been permitted as an RTSB for 7 years, with a total of 12 years in business.
6. Vapor Crazyiness has never been cited for selling to a minor.
7. Vapor Crazyiness is not currently selling flavored tobacco products.
8. Prior to the Flavor Ban going into effect, Vapor Crazyiness had a gross revenue of \$1,035,338.25 in 2024, with 82.63% of the total sales derived from electronic cigarette products.
9. Vapor Crazyiness averaged gross monthly revenue in the amount of \$86,278.18 during 2024.
10. Following the Court’s order on March 24, 2025, which lifted the TRO as to the Flavor Ban, Vapor Crazyiness has had gross sales of \$7,774.50, which breaks down to an average of \$9,329.40 per month in gross sales. This represents an 89.2% decrease in monthly sales.

11. Removing the flavored tobacco products from the shelves has resulted in a substantial decrease of sales to where the business is no longer able to cover its fixed monthly expenses.

12. Vapor Craziiness has laid off all of its employees.


13. Vapor Craziiness has been made aware through various social media posts, that people who do not have RTSB licenses are advertising flavored vapor products for sale on Facebook exchange groups.

14. It is anticipated that Vapor Craziiness will close down its business within the next 30 days under the current landscape.

15. The effect of the Flavor Ban is that Your Affiant will be deprived of his property interest in and to Vapor Craziiness.

DATED this 19th day of April, 2025.

Respectfully submitted,




Riley Farr, Owner
Affiant

SUBSCRIBED AND SWORN to before me this 19th day of April, 2025

My Commission Expires 02/16/2027





Notary Public
Residing at: herriman, utah
salt lake County, Utah

